

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FILED
AUG 29 2003
U. S. DISTRICT COURT
EASTERN DISTRICT OF MO

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) No. 4:03CR417CAS
)
MERLIN KAUFFMAN,)
)
Defendant.)

PRELIMINARY ORDER OF FORFEITURE

WHEREAS, the United States sought forfeiture of specific property of the above-captioned defendant pursuant to Title 18, United States Code, Section 982 as set forth in the Indictment:

AND WHEREAS, on August 26, 2003, the defendant Merlin Kauffman, plead guilty to Counts I and II of the indictment and the United States also entered into a written Stipulation regarding the identified property subject to forfeiture.

AND WHEREAS, by virtue of said plea of guilty and written Stipulation, the United States is now entitled to possession of said properties, pursuant to Title 18, United States Code, Section 982;

Accordingly, it is hereby ORDERED, ADJUDGED and DECREED:

1. That based upon the defendant's plea of guilty and the written Stipulation, the following property is hereby forfeited to the United States for the disposition in accordance with the law, subject to the provisions of Title 18, United States Code, Section 982:

The following property belonging to defendant:

- 1) one 1995 Toyota 4-Runner, VIN JT3VN29V6S004185, seized from Merlin Kauffman on or about January 31, 2003.

2. That the aforementioned forfeited property is to be held by the United States Marshal, as indicated, in their secure custody and control.


3. That pursuant to Title 21, United States Code, Section 853(n)(1), the United States Marshall forthwith shall publish at least once for three successive weeks in a newspaper of general circulation, notice of this Order, notice of the Marshal's intent to dispose of the property in such manner as the Attorney General may direct and notice that any person, other than the defendant, having or claiming a legal interest in any of the above-listed forfeited property must file a petition with the court within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is earlier.

This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in each of the forfeiture properties and any additional facts supporting the petitioner's claim and the relief sought.

The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of the Order of Forfeiture, as a substitute for published notice as to those persons so notified.

4. That upon adjudication of all third-party interests, this Court shall enter a Final Order of Forfeiture pursuant to Title 21, United States Code, Section 853(n), in which all of said property will be ordered forfeited to the United States to be disposed of according to law.

Ordered this 29th day of August, 2003.


CHARLES A. SHAW
United States District Judge

UNITED STATES DISTRICT COURT - EASTERN MISSOURI
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